

STATE OF CALIFORNIA
THE RESOURCES AGENCY
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

ORDER

APPLICATION 1232

PERMIT 1164

LICENSE 5420

ORDER ALLOWING CHANGE IN POINT OF DIVERSION AND PLACE OF USE


WHEREAS:

1. License 5420 was issued to Turlock and Modesto Irrigation Districts and was filed with the County Recorder of Tuolumne County on January 29, 1959.
2. A petition for change in point of diversion and place of use has been filed with the State Water Resources Control Board and said Board has determined that good cause for such change has been shown.
3. The Board has determined that the petitioned changes do not constitute the initiation of a new right nor operate to the injury of any other lawful user of water.

NOW, THEREFORE, IT IS ORDERED THAT:

1. The point of diversion under this license shall be as follows:
New Don Pedro Dam: South $26^{\circ}09'$ East, 3803 feet from NW Corner of Section 3, T3S, R14E, MDB&M, being within NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of said Section 3.
2. The place of use under this license shall be as follows:
New Don Pedro Power House located within SE $\frac{1}{4}$ of SW $\frac{1}{4}$ Section 3, T3S, R14E, T1S, R15E; T2S, R14E; T2S, R15E; T3S, R14E; T3S, R15E, MDB&M.
Water is returned to the Tuolumne River within SE $\frac{1}{4}$ of SW $\frac{1}{4}$, Section 3, T3S, R14E, MDB&M.

Dated: JULY 7 1981
JULY 7 1981


Raymond Walsh, Chief
Division of Water Rights



STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD

License for Diversion and Use of Water

APPLICATION 1232

PERMIT 1164

LICENSE 5420

THIS IS TO CERTIFY, That

Turlock and Modesto Irrigation Districts
c/o R. V. Meikle
117 West Main Street
Turlock, California

have made proof as of May 29, 1957

(the date of inspection) to the satisfaction of the State Water Rights Board of a right to the use of the water of
Tuolumne River in Tuolumne County
tributary to San Joaquin River

for the purpose of power and recreational uses
under Permit 1164 of the State Water Rights Board and that said right to the use of said water has been
perfected in accordance with the laws of California, the Rules and Regulations of the State Water Rights Board and the
terms of the said permit; that the priority of the right herein confirmed dates from April 8, 1919
and that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited
to the amount actually beneficially used for said purposes and shall not exceed three hundred twenty-five
thousand (325,000) acre-feet per annum to be collected from about October 1 of
each year to about August 1 of the succeeding year.

Maximum power use has been two hundred eighty-six thousand two hundred (286,200)
acre-feet per annum.

The point of diversion of such water is located :
South fifty-one degrees twenty-five minutes east (S51°25'E) two thousand fifty-six
(2056) feet from W $\frac{1}{4}$ corner of Section 35, T2S, R14E, MDB&M, being within SE $\frac{1}{4}$ of SW $\frac{1}{4}$
as said Section 35.

A description of the lands or the place where such water is put to beneficial use is as follows:

Don Pedro Power House within SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 35, T2S, R14E, MDB&M, and
recreational use in Don Pedro reservoir within T1S, T2S, T3S, R14E, R15E, MDB&M.

Water is returned to the Tuolumne River in SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 35, T2S, R14E,
MDB&M.

All rights and privileges under this license including method of diversion, method of use and quantity of water
diverted are subject to the continuing authority of the State Water Rights Board in accordance with law and in the
interest of the public welfare to prevent waste, unreasonable use, unreasonable method of use or unreasonable method of
diversion of said water.

Reports shall be filed promptly by licensee on appropriate forms which will be provided for the purpose from time
to time by the State Water Rights Board.

The right hereby confirmed to the diversion and use of water is restricted to the point or points of diversion herein
specified and to the lands or place of use herein described.

This license is granted and licensee accepts all rights herein confirmed subject to the following provisions of the Water Code:

Section 1625. Each license shall be in such form and contain such terms as may be prescribed by the board.

Section 1626. All licenses shall be under the terms and conditions of this division (of the Water Code).

Section 1627. A license shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code) but no longer.

Section 1628. Every license shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article and the statement that any appropriator of water to whom a license is issued takes the license subject to the conditions therein expressed.

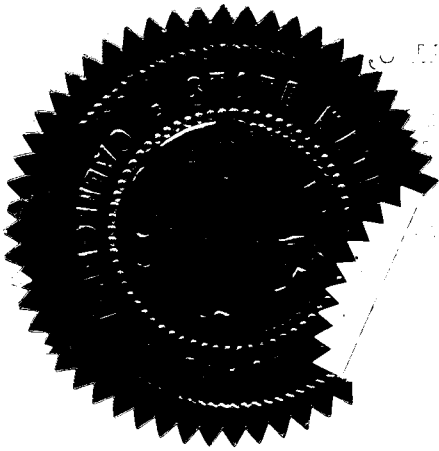
Section 1629. Every licensee, if he accepts a license does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any license granted or issued under the provisions of this division (of the Water Code), or for any rights granted or acquired under the provisions of this division (of the Water Code), in respect to the regulation by any competent public authority of the services or the price of the services to be rendered by any licensee or by the holder of any rights granted or acquired under the provisions of this division (of the Water Code) or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State, of the rights and property of any licensee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).

Section 1630. At any time after the expiration of twenty years after the granting of a license, the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State shall have the right to purchase the works and property occupied and used under the license and the works built or constructed for the enjoyment of the rights granted under the license.

Section 1631. In the event that the State, or any city, city and county, municipal water district, irrigation district, lighting district, or political subdivision of the State so desiring to purchase and the owner of the works and property cannot agree upon the purchase price, the price shall be determined in such manner as is now or may hereafter be provided by law for determining the value of property taken in eminent domain proceedings.

Dated: JAN 28 '59

L. K. Hill
L. K. Hill
Executive Officer



LICENSE 51224
STATE OF CALIFORNIA
STATE WATER RIGHTS BOARD

LICENSE
TO APPROPRIATE WATER

ISSUED TO Turlock and Modesto
Irrigation Districts

DATED JAN 28 '59

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